

LEGISLATURE OF THE STATE OF IDAHO
Sixty-second Legislature First Regular Session - 2013

IN THE SENATE

SENATE BILL NO. 1007

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLE REGISTRATION; AMENDING SECTION 49-402, IDAHO CODE, TO REVISE A TERM, TO REMOVE A REFERENCE TO IDAHO AND TO ADD LANGUAGE RELATING TO STAGGERED REGISTRATION; AMENDING SECTION 49-402A, IDAHO CODE, TO ADD LANGUAGE RELATING TO STAGGERED REGISTRATION; AMENDING SECTION 49-434, IDAHO CODE, TO ADD LANGUAGE RELATING TO STAGGERED REGISTRATION; AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 49-402, Idaho Code, be, and the same is hereby amended to read as follows:

49-402. ANNUAL REGISTRATION. (1) The annual fee for operating each pickup truck, each neighborhood electric vehicle and each other motor vehicle having a maximum gross weight not in excess of eight thousand (8,000) pounds and that complies with the federal motor vehicle safety standards as defined in section 49-107, Idaho Code, shall be:

Vehicles one (1) and two (2) years old	\$48.00
Vehicles three (3) and four (4) years old	\$36.00
Vehicles five (5) and six (6) years old	\$36.00
Vehicles seven (7) and eight (8) years old	\$24.00
Vehicles over eight (8) years old	\$24.00

There shall be twelve (12) registration periods, starting in January for holders of validation registration stickers numbered 1, and proceeding consecutively through December for holders of validation registration stickers numbered 12, each of which shall start on the first day of a calendar month and end on the last day of the twelfth month from the first day of the beginning month. Registration periods shall expire midnight on the last day of the registration period in the year designated by the validation registration sticker. The numeral digit on the validation registration stickers shall, as does the registration card, fix the registration period under the staggered plate registration system ~~of Idaho~~ for the purpose of reregistration and notice of expiration.

A vehicle that has once been registered for any of the above designated periods shall, upon reregistration, be registered for the period bearing the same number, and the registration card shall show and be the exclusive proof of the expiration date of registration and licensing. Vehicles may be initially registered for less than a twelve (12) month period, or for more than a twelve (12) month period, and the fee prorated on a monthly basis if the fractional registration tends to fulfill the purpose of the monthly series registration system.

(2) For all school buses operated either by a nonprofit, nonpublic school or operated pursuant to a service contract with a school district for transporting children to or from school or in connection with school ap-

1 proved activities, the annual fee shall be twenty-four dollars (\$24.00) and
2 shall be subject to staggered registration for the purpose of reregistration
3 and notice of expiration.

4 (3) For all motorcycles and motor-driven cycles which comply with the
5 federal motor vehicle safety standards, operated upon the public highways
6 the annual fee shall be nine dollars (\$9.00) and shall be subject to stag-
7 gered registration for the purpose of reregistration and notice of expira-
8 tion.

9 (4) For operation of an all-terrain vehicle, utility type vehicle or
10 motorbike, excluding a motorbike with an engine displacement of fifty (50)
11 cubic centimeters or less, on city, county or highway district roads or
12 highways open to such use, a restricted vehicle license plate fee pursuant
13 to section 49-450, Idaho Code, shall be paid. In addition, the registration
14 fee specified in section 67-7122, Idaho Code, shall be paid as provided in
15 section 67-7122, Idaho Code. The registration and restricted vehicle li-
16 cense plate exemption provided in section 49-426(2), Idaho Code, applies
17 to all-terrain vehicles, utility type vehicles, motorbikes and motorcycles
18 used for the purposes described in subsection (2) of section 49-426, Idaho
19 Code. Nonresidents shall be allowed to purchase a restricted vehicle li-
20 cense plate and sticker for an all-terrain vehicle, utility type vehicle or
21 motorbike.

22 (5) For all motor homes the fee shall be as specified in subsection (1)
23 of this section and shall be in addition to the fees provided for in section
24 49-445, Idaho Code.

25 (6) Registration fees shall not be subject to refund.

26 (7) A financial institution or repossession service contracted to
27 a financial institution repossessing vehicles under the terms of a secu-
28 rity agreement shall move the vehicle from the place of repossession to the
29 financial institution's place of business on a repossession plate. The
30 repossession plate shall also be used for demonstrating the vehicle to a
31 prospective purchaser for a period not to exceed ninety-six (96) hours. The
32 registration fees for repossession plates shall be as required in subsection
33 (1) of this section for a vehicle one (1) and two (2) years old. All other
34 fees required under chapter 4, title 49, Idaho Code, shall be in addition to
35 the registration fee. The repossession plate shall be ~~issued on an annual~~
36 ~~basis by the department~~ subject to staggered registration for the purpose of
37 reregistration and notice of expiration.

38 (8) A wrecker or towing business engaged in the process of towing motor-
39 ized vehicles, which have been wrecked, abandoned, salvaged or may be dis-
40 abled, may apply for a wrecker plate to be displayed on those vehicles being
41 towed, provided the power unit is properly registered under this chapter.
42 The registration fees for wrecker plates shall be as required in subsection
43 (1) of this section for a vehicle one (1) and two (2) years old. All other
44 fees required under chapter 4, title 49, Idaho Code, shall be in addition to
45 the registration fee and shall be subject to staggered registration for the
46 purpose of reregistration and notice of expiration. ~~The wrecker plate shall~~
47 ~~be issued on an annual basis by the department.~~

48 (9) In addition to the annual registration fee in this section, there
49 shall be an initial program fee of twenty-five dollars (\$25.00) and an an-
50 nual program fee of fifteen dollars (\$15.00) for all special license plate

1 programs for those license plates issued pursuant to sections 49-404A,
 2 49-407, 49-408, 49-409, 49-414, 49-416, 49-418 and 49-418D, Idaho Code.
 3 For special plates issued pursuant to sections 49-406 and 49-406A, Idaho
 4 Code, there shall be an initial program fee of twenty-five dollars (\$25.00)
 5 but there shall be no annual renewal fee. For special plates issued pur-
 6 suant to sections 49-415C, 49-415D, 49-415E, 49-416A, 49-416B, 49-416C,
 7 49-416D, 49-416E, 49-417, 49-417A, 49-417B, 49-417C, 49-417D, 49-417E,
 8 49-418A, 49-418B, 49-418C, 49-418E, 49-419, 49-419A, 49-419B, 49-419C,
 9 49-419D, 49-419E, 49-420, 49-420A, 49-420B, 49-420C, 49-420D, 49-420E,
 10 49-420G, 49-420H, 49-420I, 49-420J, 49-420K and 49-420L, Idaho Code, and any
 11 new special plate program effective on and after January 1, 2013, pursuant
 12 to section 49-402D, Idaho Code, there shall be an initial program fee of
 13 thirty-five dollars (\$35.00) and an annual program fee of twenty-five dol-
 14 lars (\$25.00). The fees contained in this subsection shall be applicable to
 15 all new special plate programs and shall be subject to staggered registra-
 16 tion for the purpose of reregistration and notice of expiration. The initial
 17 program fee and the annual program fee shall be deposited in the state high-
 18 way account and shall be used to fund the cost of administration of special
 19 license plate programs, unless otherwise specified by law.

20 (10) Any vehicle that does not meet federal motor vehicle safety stan-
 21 dards shall not be registered and shall not be permitted to operate on public
 22 highways of the state, as defined in section 40-117, Idaho Code, unless oth-
 23 erwise specifically authorized.

24 (11) In addition to annual registration fees as provided in this sec-
 25 tion, registrants may pay a fee to purchase an Idaho state parks passport
 26 authorizing resident motor vehicle entry into all Idaho state parks. Reg-
 27 istrants may pay the fee for a one (1) year or two (2) year period of time.
 28 The fee shall be ten dollars (\$10.00) for one (1) year and twenty dollars
 29 (\$20.00) for two (2) years. All fees collected pursuant to this subsection
 30 shall be deposited into the park and recreation fund and shall be subject to
 31 appropriation. Fees collected pursuant to this subsection shall not be con-
 32 sidered a motor vehicle registration fee as provided in section 17, article
 33 VII, of the constitution of the state of Idaho.

34 SECTION 2. That Section 49-402A, Idaho Code, be, and the same is hereby
 35 amended to read as follows:

36 49-402A. UTILITY TRAILERS -- REGISTRATION, FEES AND TRANSFERS. (1)
 37 The department shall register a utility trailer for a period of one (1) year
 38 for a fee of five dollars (\$5.00).

39 (2) The department may register a utility trailer for a five (5) year
 40 period or for a ten (10) year period, and shall issue a license plate with the
 41 year of expiration designated by a validation sticker. Five (5) year regis-
 42 trations shall cost twenty dollars (\$20.00) and ten (10) year registrations
 43 shall cost thirty dollars (\$30.00) and shall be subject to staggered regis-
 44 tration for the purpose of reregistration and notice of expiration.

45 (3) If ownership or interest in the trailer transfers as a result of a
 46 sale, neither the registration card nor plate can be transferred to another
 47 person. The registration card and plate shall remain in the possession of
 48 the transferor and may be transferred to another utility trailer owned by the

transferor, and shall be valid until expiration of the original registration.

SECTION 3. That Section 49-434, Idaho Code, be, and the same is hereby amended to read as follows:

49-434. OPERATING FEES. (1) There shall be paid on all commercial vehicles, noncommercial vehicles, and on all farm vehicles having a maximum gross weight not in excess of sixty thousand (60,000) pounds, an annual registration fee or a staggered registration fee for the purpose of reregistration and notice of expiration in accordance with the following schedule.

Unladen Weight for Wreckers Maximum Gross Weight For Other Vehicles (Pounds)	Annual Registration Fee	
	Noncommercial and Farm Vehicles	Commercial Vehicles and Wreckers
8,001-16,000 inc.	\$ 48.00	\$ 48.00
16,001-26,000 inc.	61.08	143.40
26,001-30,000 inc.	91.68	223.80
30,001-40,000 inc.	130.08	291.60
40,001-50,000 inc.	188.28	360.00
50,001-60,000 inc.	311.88	515.40

(2) There shall be paid on all commercial vehicles, irrespective of body type, and on all farm vehicles having a maximum gross weight in excess of sixty thousand (60,000) pounds, an annual registration fee in the amount prescribed by subsection (8) of this section, as applicable.

(3) In addition, the annual registration fee for trailers shall be:

(a) Trailer or semitrailer in a combination of vehicles\$15.00

(b) Rental utility trailer with a gross weight of two thousand (2,000) pounds or less\$8.00

(c) Rental utility trailer with a gross weight over two thousand (2,000) pounds\$15.00

(4) As an option to the trailer and semitrailer and rental utility trailer annual registrations issued pursuant to subsection (3) of this section, the department may provide a nonexpiring plate and registration for trailers and semitrailers, and an optional, extended registration for rental utility trailers.

(a) For trailers and semitrailers, the nonexpiring registration fee shall be one hundred five dollars (\$105). The license plate shall remain on the trailer or semitrailer until the registration is canceled or revoked. No part of the fee is subject to refund. However, the registrant may transfer the nonexpiring plate and registration to another trailer or semitrailer titled to the registrant if the original registration date is prior to July 1, 2009. The registration document shall be the official record of the status of the nonexpiring registration and no registration fee shall be required after the initial registration is paid. No validation sticker shall be required or issued for such nonexpiring license plate.

1 (i) Registration of a trailer or semitrailer based in another ju-
2 risdiction may be issued when the registrant provides a valid ju-
3 risdiction title or ownership document and certification state-
4 ment, and no title transfer will be required.

5 (ii) Periodic verification will be made to confirm ownership sta-
6 tus. Failure of the owner to comply with the verification request
7 to confirm ownership within thirty (30) days, shall result in can-
8 cellation of the permanent plate registration.

9 (b) For rental utility trailers, the registrant may prepay the annual
10 registration for an additional one (1), two (2), three (3) or four (4)
11 years, but in no event shall the optional registration period extend be-
12 yond five (5) years. The fee shall be as specified in subsection (3) (b)
13 or (c) of this section. A pressure-sensitive sticker shall be used to
14 validate the license plate. The license plate shall become void if the
15 owner's interest in the rental utility trailer changes during the five
16 (5) year period. If the owner fails to enter the rental utility trailer
17 on the annual renewal application during the five (5) year period, the
18 registration record shall be purged. Any unrenewed plate shall be re-
19 turned to the department if it is not entered on the renewal applica-
20 tion.

21 (5) A fleet registration option is available to owners who have
22 twenty-five (25) or more commercial or farm vehicles or any combination
23 thereof. Such owners may register all of their company vehicles with the
24 department in lieu of registering with a county assessor. To qualify the
25 fleet must be owned and operated under the unified control of one (1) person
26 and the vehicles must be physically garaged and maintained in two (2) or more
27 counties. Fleet registration shall not include fleets of rental vehicles.
28 The department shall provide a registration application to the owner and the
29 owner shall provide all information that the department determines is neces-
30 sary. The department shall devise a special license plate numbering system
31 for fleet-registered vehicles as an alternative to county license plates.
32 The fleet registration application and all subsequent registration renewals
33 shall include the physical address where a vehicle is principally used,
34 garaged and maintained. The fleet owner shall report the physical address to
35 the department upon initial registration, on each renewal, and at any time a
36 vehicle registered under this option is permanently transferred to another
37 location.

38 (6) If the ownership of a vehicle changes during the registration pe-
39 riod, the original owner may transfer the plate to another vehicle. The re-
40 maining fee shall be credited against the cost of the new registration. Re-
41 funds may be given for any unexpired portion of the vehicle registration fee
42 if the plate is not transferred by the owner to another vehicle. Any request
43 for refund shall include surrender of the license plate, validation sticker
44 and registration document. Owners of vehicles registered under the inter-
45 national registration plan may request a refund of the unexpired portion of
46 the Idaho vehicle registration fee by presenting evidence from the base ju-
47 risdiction that the license plate, validation sticker and registration docu-
48 ment have been surrendered. A license plate shall not be transferred to an-
49 other owner when the ownership of a vehicle changes. The owner shall obtain a

1 replacement plate, validation sticker if required, and a registration docu-
2 ment when a plate is lost, destroyed or becomes illegible.

3 (7) An administrative fee of four dollars (\$4.00) shall be paid and de-
4 posited to the state highway account on all registrations completed by the
5 department under subsection (1) or (8) (a) of this section. Vehicles regis-
6 tered under subsection (8) (b) of this section shall pay the fee provided in
7 section 49-435(2), Idaho Code.

8 (8) There shall be paid on all commercial and farm vehicles having a
9 maximum gross weight in excess of sixty thousand (60,000) pounds, a regis-
10 tration fee based upon the maximum gross weight of a vehicle as declared by
11 the owner and the total number of miles driven on roads and highways in the
12 state, county, city and highway district systems in Idaho, and if registered
13 under the international registration plan (IRP), in all other jurisdic-
14 tions. The appropriate registration fee shall be determined as follows:

15 (a) If the owner registers vehicles under the international registra-
16 tion plan (IRP), the appropriate mileage column shall be determined by
17 the total miles an owner operated a fleet of vehicles on roads and high-
18 ways in the state, county, city and highway district systems in Idaho
19 and in all other jurisdictions in the preceding year, as defined in sec-
20 tion 49-117, Idaho Code, and by the maximum gross weight of each vehicle
21 within a fleet.

22 (b) If the owner registers vehicles under the international registra-
23 tion plan and determines that the average international registration
24 plan fleet miles, calculated by dividing the total IRP fleet miles in
25 all jurisdictions by the number of registered vehicles, is less than
26 fifty thousand one (50,001) miles, the owner may apply to the depart-
27 ment for refund of a portion of the registration fees paid, consistent
28 with the fee schedules set forth in this section. The department shall
29 provide an application for the refund. An owner making application for
30 refund under this section shall be subject to auditing as provided in
31 section 49-439, Idaho Code.

32 (c) If the owner is not registering vehicles under the international
33 registration plan, the appropriate mileage column shall be determined
34 by the total miles the owner operated each of the vehicles to be regis-
35 tered on roads and highways in the state, county, city and highway dis-
36 trict systems in Idaho in the preceding year and by the maximum gross
37 weight of each vehicle.

38 Maximum Gross
39 Weight of Vehicle
40 (Pounds)

Total Miles Driven

	1 to 7,500	7,501 to 20,000	20,001 to 35,000	35,001 to 50,000	Over 50,000
41 60,001-62,000	\$223	\$ 511	\$ 789	\$1,068	\$1,560
42 62,001-64,000	\$251	\$ 576	\$ 890	\$1,205	\$1,760
43 64,001-66,000	\$280	\$ 642	\$ 992	\$1,342	\$1,960
44 66,001-68,000	\$309	\$ 707	\$1,093	\$1,479	\$2,160
45 68,001-70,000	\$337	\$ 773	\$1,194	\$1,615	\$2,360

1	Maximum Gross					
2	Weight of Vehicle					
3	(Pounds)		Total Miles Driven			
4	70,001-72,000	\$366	\$ 838	\$1,295	\$1,752	\$2,560
5	72,001-74,000	\$394	\$ 904	\$1,396	\$1,889	\$2,760
6	74,001-76,000	\$423	\$ 969	\$1,498	\$2,026	\$2,960
7	76,001-78,000	\$451	\$1,035	\$1,599	\$2,163	\$3,160
8	78,001-80,000	\$480	\$1,100	\$1,700	\$2,300	\$3,360
9	80,001-82,000	\$494	\$1,133	\$1,751	\$2,368	\$3,460
10	82,001-84,000	\$509	\$1,165	\$1,801	\$2,437	\$3,560
11	84,001-86,000	\$523	\$1,198	\$1,852	\$2,505	\$3,660
12	86,001-88,000	\$537	\$1,231	\$1,902	\$2,574	\$3,760
13	88,001-90,000	\$551	\$1,264	\$1,953	\$2,642	\$3,860
14	90,001-92,000	\$566	\$1,296	\$2,004	\$2,711	\$3,960
15	92,001-94,000	\$580	\$1,329	\$2,054	\$2,779	\$4,060
16	94,001-96,000	\$594	\$1,362	\$2,105	\$2,848	\$4,160
17	96,001-98,000	\$609	\$1,395	\$2,155	\$2,916	\$4,260
18	98,001-100,000	\$623	\$1,427	\$2,206	\$2,985	\$4,360
19	100,001-102,000	\$637	\$1,460	\$2,257	\$3,053	\$4,460
20	102,001-104,000	\$651	\$1,493	\$2,307	\$3,121	\$4,560
21	104,001-106,000	\$666	\$1,526	\$2,358	\$3,190	\$4,660
22	106,001-108,000	\$680	\$1,558	\$2,408	\$3,258	\$4,760
23	108,001-110,000	\$694	\$1,591	\$2,459	\$3,327	\$4,860
24	110,001-112,000	\$709	\$1,624	\$2,510	\$3,395	\$4,960
25	112,001-114,000	\$723	\$1,657	\$2,560	\$3,464	\$5,060
26	114,001-116,000	\$737	\$1,689	\$2,611	\$3,532	\$5,160
27	116,001-118,000	\$751	\$1,722	\$2,661	\$3,601	\$5,260
28	118,001-120,000	\$766	\$1,755	\$2,712	\$3,669	\$5,360
29	120,001-122,000	\$780	\$1,788	\$2,763	\$3,738	\$5,460
30	122,001-124,000	\$794	\$1,820	\$2,813	\$3,806	\$5,560
31	124,001-126,000	\$809	\$1,853	\$2,864	\$3,874	\$5,660
32	126,001-128,000	\$823	\$1,886	\$2,914	\$3,943	\$5,760
33	128,001-129,000	\$837	\$1,918	\$2,965	\$4,011	\$5,860

34 (d) In addition to the fees set forth in paragraphs (a) and (c) of this
35 subsection (8), an owner or operator may purchase a temporary permit as
36 provided in section 49-432(2), Idaho Code, for operation of a vehicle at
37 a weight in excess of the current, valid, registered maximum gross vehi-
38 cle weight. The permit so issued shall be specific to the motor vehicle
39 to which it is issued. No permit or fee shall be transferable or appor-
40 tionable to any other vehicle, nor shall any such fee be refundable.

41 (e) Any commercial or farm vehicle registered for more than sixty thou-
42 sand (60,000) pounds up to one hundred six thousand (106,000) pounds

traveling fewer than two thousand five hundred (2,500) miles annually on roads and highways in the state, county, city and highway district systems in Idaho shall pay an annual registration fee of two hundred fifty-five dollars (\$255). The provisions of section 49-437(2), Idaho Code, shall not apply to vehicles registered under this subsection (8) (e).

(9) (a) During the first registration year that the fee schedule in subsection (8) (c) of this section is in use, an owner shall use the mileage data from the records used to report the mileage use fee in the immediately preceding year as the basis for determining the appropriate registration fee schedule.

(b) Any owner who registers a motor vehicle for the first time and who has no mileage history for the vehicle shall estimate the miles to determine the appropriate fee schedule in subsection (8) (c) of this section. When estimating the miles, the owner shall provide a statement on the application of the method used to arrive at the estimated miles.

(c) Any owner using any fee schedule other than the highest fee schedule under subsection (8) (c) of this section, shall certify at the time of registration that the miles operated in the preceding year do not exceed the schedule applied for. Any owner using a fee schedule under subsection (8) (c) of this section that is less than the highest schedule shall maintain records to substantiate the use of the schedule as required by section 49-439, Idaho Code.

(10) An owner registering under subsection (8) (a) or (8) (c) of this section may elect to pay the full annual registration fee at the time of registration or renewal of registration, or an owner may pay at least one-quarter (1/4) of the annual registration fee due. The remainder of the annual Idaho registration fee shall be paid in three (3) equal installments on dates as billed by the department.

(11) An owner registering or renewing a registration under subsection (8) (a) of this section electing to use installment payments as provided in subsection (10) of this section, shall pay all of the fees due to other IRP jurisdictions in addition to one-quarter (1/4) of the Idaho fee due at the time of registration or reregistration. The remainder of the annual Idaho registration fee shall be paid in three (3) equal installments on dates as billed by the department.

(12) If any vehicle or combinations of vehicles haul nonreducible loads, as authorized under the provisions of section 49-1004, Idaho Code, and weigh less than the starting weights per axle configuration listed in column 1 of subsection (2), section 49-1004, Idaho Code, then and in that event there shall be paid for that vehicle, in addition to the other fees required in this section, an additional use fee of 2.1 mills per mile for each two thousand (2,000) pounds or fraction thereof of the maximum gross weight in excess of those set forth in section 49-1001, Idaho Code.

SECTION 4. This act shall be in full force and effect on and after January 1, 2014.